

**REMARKS**

Claims 1, 2 and 4-22 are pending in the above application.

The Office Action dated March 14, 2006, has been received and carefully reviewed. In that Office Action, it was indicated that claims 1, 2, 4, 5, 8 and 9 were rejected under 35 U.S.C. 102(b) as being anticipated by Morii, and that claims 10, 12, 15-17, 21 and 22 were rejected under 35 U.S.C. 102(b) as being anticipated by Ma. Claims 6, 7, 11, 13, 14, 18 and 19 were objected to as being dependent upon rejected base claims but were indicated to be allowable if amended to include the limitations of their base claims. By the above amendment, each of these claims has been rewritten in independent form. Reconsideration and allowance of claims 1, 2 and 4-22 is respectfully requested in view of the following remarks.

**INFORMATION DISCLOSURE STATEMENT**

As an initial matter, it is noted that an information disclosure statement was filed on January 5, 2006. However, an initialed copy of the form PTO SB-08 was not received with the Office Action to show that the submitted reference was considered. It is respectfully requested that an initialed copy of the form SB-08 from the January 5, 2006, IDS be returned with the next communication.

**REJECTIONS UNDER 35 U.S.C. 102(b)**

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Morii. By the above amendment, claim 1 has been revised to require that the claimed memory functional units be an insulator containing a silicon nitride film. Silicon nitride film is an insulating material. Therefore, even if a charge leak occurs in part of the silicon nitride film, the charges in the whole silicon nitride film would generally not be lost immediately. This may advantageously improve device reliability. Morii discloses floating gate electrodes 17a and 17b formed of polysilicon (column 9, line 1) and Ma discusses floating gates 303A and 303B made of polysilicon (column 6, lines 40-41) and therefore in no manners show or suggest the invention as now claimed.

Claims 2, 4, 5, 8 and 9 depend from claim 1 and are submitted to be allowable for at least the same reasons as claim 1.

Claim 10 stands rejected under 35 U.S.C. 102(b) as being anticipated by Ma. Claim 10 requires, *inter alia*, memory functional units formed on both sides of a gate electrode and having a function of retaining charges and being an insulator containing a silicon nitride film. This limitation is not shown or suggested by the references of record for the reasons provided above in connection with claim 1. Claim 10 is therefore submitted to be allowable for at least the same reasons as claim 1.

Claims 12, 15-17 and 20-22 depend from claim 10 and are submitted to be allowable for at least the same reasons as claim 10.

### CONCLUSION

Each issue raised in the Office Action dated March 14, 2006, has been addressed, and it is believed that claims 1, 2 and 4-22 are in condition for allowance. Wherefore, reconsideration and allowance of claims 1, 2 and 4-22 is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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